

## REMARKS

By this Amendment, claims 3, 4, 14, 32, 33 and 38 are canceled and claims 1, 5-7, 13, 24, 25, 28, 34 and 37 are amended. Claims 2, 8-12, 15-23, 26, 27, 29-31, 35, 36, 39 and 40 remain as originally filed. New independent claims 41-43 are presented for examination. As a result, claims 1, 2, 5-13, 15-31, 34-37 and 39-43 are pending in the application. Independent claim 1 is amended to include certain patentable limitations of canceled claims 3 and 4. Dependent claims 5-7 are amended to provide proper dependency. Independent claim 13 is amended to include certain patentable limitations of canceled claim 14. Independent claim 24 is amended to include certain patentable limitations of canceled claims 32 and 33. Dependent claim 25 is amended to add limitations removed from amended claim 24. Dependent claims 28 and 34 are amended to provide proper dependency. Independent claim 37 is amended to include certain patentable limitations of canceled claim 38.

## Drawings

Pursuant to paragraph 1 of the Office Action, the drawings stand accepted subject to the correction of the informalities indicated on the Notice of Draftsperson's Patent Drawing Review PTO-948 attached to the Office Action. Applicants submit herewith Replacement Sheets 1/10 through 10/10 containing proposed drawing corrections for approval by the examiner. Replacement sheet 6/10 corrects the informality (i.e., top margin of FIG. 7) noted by the Official Draftsperson. Replacement sheet 5/6 is submitted to add reference numeral 22 to FIG. 6C, which was inadvertently omitted during preparation of the drawings. Support for the addition of reference numeral 22 is found in the specification beginning at page 10, line 3 and in FIG. 6A and FIG. 6B where lip 22 is shown in the closed and opened positions, respectively. The remaining replacement sheets are submitted to provide typed reference numerals and figure numbers throughout the entire set of drawings. Accordingly, Applicants respectfully request the Examiner to approve the proposed drawing corrections and to enter the replacement drawing sheets 1/10 through 10/10 submitted herewith.

Pursuant to paragraphs 2 and 3 of the Office Action, claims 1-9, 13-19, 24-31 and 35-40 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,802,170 (Smith et al.). The Examiner asserts that Smith et al. identically discloses a telephone network interface apparatus (i.e., a terminating device) 10 comprising each and every limitation of the rejected claims, as detailed on pages 2-4 of the Office Action.

Applicants respectfully traverse the rejection with respect to the claims as amended herein. With regard to independent claim 1, Smith et al. does not identically disclose a cover attached to the customer bridge and rotatable between a closed position and an opened position, *wherein the cover comprises a locking slide having a movable clasp*. In one embodiment best shown in FIGS. 3, 5, 6, 10, 12 and 13, the terminating device 10 comprises a cover 142 that is attached to the housing 38 and rotatable between a closed position and an opened position. However, the cover 142 *does not comprise a locking slide having a movable clasp*. Instead, the clasp for receiving the shank of a conventional padlock to prevent unauthorized access to the subscriber wiring terminations under the cover 142 is affixed to the electronics unit 40 and *is not movable*. In contrast, the claimed invention requires that the cover 106 comprise a locking slide 110 having a movable clasp 128 such that the cover 106 can only be rotated to the opened position once the locking arm 32 (shank) of the padlock is removed and the movable clasp 110 is moved away from the lip 22 of the inner cover 20 (see FIGS. 6A-6C and specification at page 10, line 3 through page 11, line 3). In another embodiment best shown in FIGS. 35-42, the cover 142 comprises a clasp and the entire cover slides relative to the housing 38 and the electronics unit 40 to provide access to the subscriber wiring terminations. However, the clasp is *fixed* to the cover 142 and the cover *does not rotate* relative to the customer bridge (i.e., housing 38) between a closed position and an opened position. Thus, independent claim 1 is patentable. Claims 2 and 5-9 depend directly or indirectly from patentable base claim 1, and thus, are likewise allowable for at least the same reasons. Furthermore, claim 5 is patentable for at least the additional reason that Smith et al. does not identically disclose the movable clasp has a lower portion positioned adjacent the stuffer assembly that is broken off when an unauthorized person moves the cover from the closed position to the opened position and thereby provides a visual indication that the unauthorized person has attempted to gain access to the customer bridge. Furthermore, claim 7 is patentable for at least the additional reason that Smith et al. does not identically disclose the terminating device further comprises a jack mounted on the base and wherein the cover

comprises a *plug that engages the jack* when the cover is in the closed position. The Smith et al. device 10 discloses a jack 68 mounted on the electronics unit 40, but the cover 142 does not comprise a plug that engages the jack. Furthermore, claims 8 and 9 are patentable for at least the additional reason that Smith et al. does not identically disclose the jack has a resilient seal thereabout and the plug has a mating resilient seal thereabout so that the plug is movable on the cover relative to the jack. Smith et al. merely discloses that the jack 68 may be provided with a conventional sealing grease or gel in a known manner (i.e., filled or partially filled). Smith et al. does not identically disclose the claimed resilient mating seal provided on the cover such that the plug is movable relative to the jack. Claims 3 and 4 are canceled. Accordingly, claims 1, 2 and 5-9 are patentable.

With regard to independent claim 13, Smith et al. does not identically disclose a wire terminating device having a cover comprising a locking slide having a movable clasp with a lower portion that is broken off when an unauthorized person moves the cover from the closed position to the opened position and thereby provides a visual indication that the unauthorized person has attempted to gain access to the customer bridge. As discussed above with respect to claims 1 and 5, the cover 142 of the Smith et al. device 10 does not comprise a movable clasp and does not provide a visual indication of any kind that an unauthorized person has attempted to gain access to the subscriber wiring terminations on the customer bridge (i.e., housing 38). Thus, claim 13 is patentable. Claims 15-19 depend directly or indirectly from patentable base claim 13, and thus, are likewise allowable for at least the same reasons. Furthermore, claim 16 is patentable for the same additional reason as claim 7 discussed above. Furthermore, claims 17 and 18 are patentable for at least the same additional reason as claims 8 and 9 discussed above. Claim 14 is canceled. Accordingly, claims 13 and 15-19 are patentable.

With regard to independent claim 24, Smith et al. does not identically disclose a wire terminating device having a stuffer assembly comprising a stuffer and a *stuffer screw* that drives the stuffer (and thereby the service provider wiring) between a disconnected position and a connected position (on the insulation displacement contact), wherein the insulation displacement contact of the stuffer assembly is positioned on the base *at an angle relative to the wire insertion passage*. Instead, Smith et al. discloses a cam-actuated terminating mechanism 44 comprising a lever 104, a pivot 106 and a main body 108, as depicted in FIGS. 12, 13 and 24-31. "The main

body 108 also includes openings 120 and 122 and cavities 124 and 126 which are *perpendicular* to and communicate with openings 120 and 122. Openings 120 and 122 are adapted to receive [service provider] wires 128 of different sizes. ... Cavities 124 and 126 are adapted to receive insulation displacement contacts 128 and 130 which are mounted on housing 38 of device 20." Column 8, lines 33-43 (emphasis added) and FIG. 30. In contrast, the claimed invention requires a stuffer screw 112 and insulation displacement contacts 116 that are positioned on the base 102 at an angle relative to the wire insertion passages 126, as best shown in FIG. 2. Thus, claim 24 is patentable. Claims 25-31, 35 and 36 depend directly or indirectly from patentable base claim 13, and thus, are likewise allowable for at least the same reasons. Furthermore, claims 25 and 26 are patentable for the same additional reasons as claims 1 and 5 discussed above. Furthermore, claim 28 is patentable for the same additional reason as claim 7 discussed above. Furthermore, claims 29 and 30 are patentable for at least the same additional reason as claims 8 and 9 discussed above. Accordingly, claims 24-31, 35 and 36 are patentable.

With regard to independent claim 37, Smith et al. does not identically disclose a network interface device comprising a lockable inner cover having a lip and a line module and wherein the cover of the line module comprises *a sliding lock having a movable clasp*, the clasp comprising a lower portion that is positioned beneath the lip of the inner cover so that the lower portion is broken off when an unauthorized person moves the cover of the line module from a closed position to an opened position. Instead, Smith et al. discloses a fixed clasp on the housing 38 or the cover 142, as described above, that does not engage a lip provided on the inner cover of the network interface device. Thus, claim 37 is patentable for at least the same reasons as claim 1 and 5 discussed above. Claims 39 and 40 depend directly or indirectly from patentable base claim 37, and thus, are likewise allowable for at least the same reasons. Furthermore, claim 39 is patentable for the same additional reasons as claims 7 and 8 discussed above. Claim 38 is canceled. Accordingly, claims 24-31, 35 and 36 are patentable.

For at last the reasons discussed above, claims 1, 2, 5-9, 13, 15-19, 24-31, 35-37, 39 and 40 are patentable. Claims 3, 4, 14 and 38 are canceled. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 1-9, 13-19, 24-31 and 35-40 under 35 U.S.C. §102(b).

**Claim Rejections – 35 U.S.C. § 103**

Pursuant to paragraphs 4 and 5 of the Office Action, claims 10-12, 20-23 and 32-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable (i.e., obvious) over Smith et al. in view of U.S. Patent 4,93,822 (Cozzens et al.). The Examiner asserts that Smith et al. discloses the invention as claimed except for an internally threaded post and an externally threaded screw for engaging the service provider wiring with the insulation displacement contacts of the stuffer. However, the Examiner further asserts that Cozzens et al. teaches an electrical connector for terminating conductive wires through the cooperation of a threaded screw element and a threaded and slotted terminal insulation displacement connector (IDC). Therefore, the Examiner summarily concludes it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the threaded IDC of Cozzens et al. to the terminating device of Smith et al. so as to accommodate a range of conductor wires.

Applicants respectfully traverse the rejection with respect to the claims as amended herein. Firstly, it is not understood how application of a threaded stuffer screw and/or a threaded and slotted IDC permit the stuffer of a terminating device to accommodate a range of conductor wires. Nevertheless, claims 10-12 depend directly or indirectly from patentable base claim 1, and thus are likewise allowable for at least the same reasons. Furthermore, claim 11 is patentable for at least the same additional reason as claim 24 discussed above. Claims 20-23 depend directly or indirectly from patentable base claim 13, and thus are likewise allowable for at least the same reasons. Furthermore, claim 22 is patentable for at least the same additional reason as claim 24 discussed above. Claim 34 depends directly from patentable base claim 24, and thus is likewise allowable for at least the same reasons. Claims 32 and 33 are canceled. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 10-12, 20-23 and 32-34 under 35 U.S.C. §103(a).

Applicants submit that new claim 41 is patentable for at least the reason that none of the cited references discloses a terminating device comprising a cover having at least one opening therethrough *for visually indicating whether an actuating arm is in a disconnected position or a connected position*. Applicants submit that new independent claims 42 and 43 are patentable for at least the same reasons as claims 7, 8 and 9 discussed above. Applicants have reviewed the

cited references and submit that none discloses or fairly suggests the claimed terminating device or network interface device comprising the combination of features recited in pending claims 1, 2, 5-13, 15-31, 34-37 and 39-43. Accordingly, Applicants respectfully request the Examiner to issue a Notice of Allowability for the pending claims.



RECEIVED

FEB 19 2004

Technology Center 2600

CONCLUSION

In view of the foregoing amendments and these remarks, Applicants respectfully request the Examiner to enter the replacement drawing sheets and to withdraw the rejections to the claims. This Amendment is being timely filed and is fully responsive to the Office Action. Furthermore, this Amendment places the application in condition for immediate allowance. Accordingly, Applicants respectfully request the Examiner to issue a Notice of Allowability for the pending claims. Applicants encourage the Examiner to contact the undersigned directly to further the prosecution of any remaining issues, and thereby expedite allowance of the application.

This Amendment results in three (3) additional independent claims, but does not result in more total claims than paid for previously, due to the concurrent cancellation of 6 dependent claims. Accordingly, **a fee for excess independent claims in the amount of \$258 is due.** The Examiner is hereby authorized to charge any other fee due in connection with the filing of this response, including any excess claims fee, to Deposit Account No. 19-2167. If a fee is required for an extension of time under 37 C.F.R. §1.136 not already accounted for, such an extension is requested and the fee should likewise be charged to Deposit Account No. 19-2167. Any overpayment should be credited to Deposit Account No. 19-2167.

Respectfully submitted,

Christopher C. Dremann (36,504)  
Attorney for Applicants  
Registration No. 36,504  
P. O. Box 489  
Hickory, N. C. 28603  
Telephone: 828/901-5904  
Facsimile: 828/901-5206

**Dated: February 10, 2004**